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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/207,361	12/08/1998	FRIEDHELM ZUCKER	RCA-89.291	6681

24498 7590 02/17/2006

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EXAMINER

CHU, KIM KWOK

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/207,361	ZUCKER, FRIEDHELM	
	Examiner	Art Unit	
	Kim-Kwok CHU	2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 12/15,2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Remarks

1. Applicant's Amendment filed on December 15, 2005 has been fully considered.

Applicant states that the prior art of Maeda et al. does not teach the amended feature "the erasing means initialize the magneto-optical recording medium only in a region upstream of a track to be written directly before the recording of new information or data" (page 4 of the Remarks, fourth paragraphs). Accordingly, the prior art of Maeda teaches an information initialization means 4 which initializes/erasing data along a track which has a forward rotating direction (upstream). In other words, the initialization means 4 erases data in one direction and not in an oscillating motion.

Information Disclosure

2. The filed PTO-1449 form is not found and Applicant should resubmit the form and any translated document listed in the form.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*

4. Claims 1-3 and 6-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Maeda et al. (U.S. Patent 6,212,136).

Maeda teaches a magneto-optical recording system having all of the elements and means as recited in claims 1-3 and 6-9. For example, Maeda teaches the following:

(a) as in claim 1, an information erasing means 4 (Fig. 2; column 1, lines 44-46);

(b) as in claim 1, in case of recording information, an information writing device 3 (Fig. 2; column 1, lines 39 and 40);

(c) as in claim 1, the writing device 3 is formed from a writing magnet 3 and an optical scanning device 2 (Fig. 2; column 1, lines 37-43);

(d) as in claim 1, the writing device 3 overwrites information or data recorded on a magneto-optical medium 1

(Fig. 2);

(e) as in claim 1, the erasing means 4 is formed by an erasing magnet 4 having a magnetic field which is directed opposite to the magnet 3 of the writing device 3 (Fig. 2; initialized magnetic field Hinit is opposite to the recording magnetic fields);

(f) as in claim 1, the information erasing means 4 is connected with the optical scanning device 2 (Fig. 2);

(g) as in claim 1, the erasing means 4 initialize the magneto-optical recording medium 1 only in a region upstream (disc rotating direction) of a track to be written directly before the recording of new information or data (Fig. 3; erasing means 4 initialize a track along the disc rotating direction);

(h) as in claim 1, the erasing means 4 has a field strength Hinit sufficient to initialize the magneto-optical recording medium 1 without the assistance of a laser (Fig. 2; column 1, lines 47-49);

(i) as in claim 2, the erasing magnet 4 has a mechanical connection to the writing device 3 (Figs. 1, 2 and 3; inherent feature because the erasing magnet and the writing device are all supported by a mechanical connection, for example, a head assembly);

(j) as in claim 3, a mechanical connection such as a join

to connect erasing means 4 and writing device 3 (Fig. 1; inherent feature because the means 3 and 4 are mechanically joined together within a head assembly);

(k) as in claim 6, the erasing magnet 4 is a permanent magnet (Fig. 2);

(l) as in claim 7, the erasing magnet 4 is connected to a means (coils) for deactivating the erasing magnet (Figs. 2 and 4; magnetic field is not generated when no current goes through the coils);

(m) as in claim 8, the erasing magnet is connected to a means for deactivating the erasing magnet and the means for deactivating the erasing magnet is an electromagnet (Figs. 2 and 3; devices 12 and 13 are electromagnet which generates erasing field); and

(n) as in claim 9, the erasing magnet 4 is an electromagnet (Figs. 2 and 3; ; devices 12 and 13 are electromagnetic means which generate erasing field).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. (U.S. Patent 6,212,136) in view of Kamioka (U.S. Patent 5,493,548).

Maeda teaches a magneto-optical recording and reproducing device very similar to that of the instant invention. For example, Maeda teaches the following:

(a) as in claim 10, an information erasing means 4 (Fig. 2; column 1, lines 44-46);

(b) as in claim 10, for recording information, a writing (recording) device 3, formed from a writing magnet 3 (Fig. 2; column 1, lines 39 and 40);

(c) as in claim 10, an optical scanning device 2 (Fig. 2; column 1, lines 37-43);

(d) the erasing device 4, the writing device 3 and the scanning device 2 for overwriting information or data recorded on a magneto-optical medium 1 (Fig. 2);

(e) as in claim 10, a first optical scanning device 2 connected to a writing magnet 3 for recording data on the magneto-optical recording medium 1 (Fig. 2);

(f) as in claim 10, the erasing means 4 is formed by an erasing magnet 4 having a magnetic field which is directed opposite to the magnet 3 of the writing device 3 (Fig. 2; initialized magnetic field Hinit is opposite to the recording magnetic fields);

(g) as in claim 10, the erasing means 4 has a field strength Hinit sufficient to initialize the magneto-optical recording medium 1 without the assistance of a laser (Fig. 2; column 1, lines 47-49);

(h) as in claim 10, the information erasing means 4 is connected with the optical scanning device 2 (Fig. 2); and

(i) as in claim 10, the erasing means 4 initializes the magneto-optical recording medium 1 only in a region upstream (disc rotating direction) of a track to be written directly before the recording of new information or data (Fig. 3; erasing means 4 initialize a track along the disc rotating direction).

However, Maeda does not teach the following:

(a) a second optical scanning device for reproducing data; and

(b) the two optical scanning devices are for

simultaneously recording and reproducing data.

Kamioka teaches a magneto-optical recording and reproducing device having two optical scanning devices for simultaneously recording and reproducing data (Fig. 1; column 9, lines 3-20).

A plurality of scanning devices (read/write head) can be used to read and write information/data on an optical recording medium at the same time so that the read/write operations can be independent to each other. For example, Kamioka uses one read/write head for reading information while another head for writing data on an optical recording medium.

When a single read/write head such as Maeda's would like to perform read and write information/data simultaneously on a magneto-optical recording medium, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace Maeda's single read/write head with Kamioka's multiple optical scanning (read/write head) devices so that simultaneously recording and reproducing information/data on different tracks can be realized.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ogawa (6,256,,286) is pertinent because Ogawa teaches an erasing magnetic means for initializes a magneto-optical recording medium without the assistance of a laser.

8. *Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).*

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry. Or:

(571) 273-7585, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application should be directed USPTO Contact Center (703) 308-4357; Electronic Business Center (703) 305-3028.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kim-Kwok CHU
Examiner AU2653

ke 2/15/06.
February 15, 2006
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